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AFFIRMATIVE ACTION STATEMENT OF MIDDLEBURY COLLEGE

Although Middlebury College is not technically required to file a written Affirmative Action Plan, it affirms as an act of good faith its intent to comply with Title VII of the Civil Rights Act of 1964 as amended and to implement to the best of its ability the spirit of Executive Order 11246 and the October 4, 1972 Guidelines issued by the Office for Civil Rights. Middlebury College is an Equal Opportunity Employer.

The College is making additional efforts to recruit, employ and promote qualified women and minorities, even though it has not been the policy or the practice of the College to exclude or discriminate against qualified women and minorities.

To document the standards and procedures which govern employment at Middlebury College, all Department Chairmen and College officers with appointive responsibilities are expected to establish the criteria for the position, to advertise available positions, to record all data on recruiting (schools contacted, trips undertaken, counts of solicited and unsolicited dossiers meeting qualifications of the job description), to invite women and minority candidates to campus, whenever possible, and to record the judgment on all candidates interviewed by the department or the office when a recommendation for appointment was not forthcoming. The College is recruiting women and minority persons as actively as it recruits white males. The College seeks to assure itself that all judgments regarding personnel are made on professional grounds only and without regard for race, color, sex, religion, or national origin.

The Faculty Rules of Appointment and Tenure set forth the College's procedures for appointment and reappointment of faculty members and offer arrangements for redress of grievances if violation of academic freedom or procedures has been alleged. The College does not discriminate upon hiring, promoting or retaining faculty in either rank or salary.

Because the size of the Faculty of Middlebury College is by policy determination to remain relatively static, because the percentage of tenured faculty is now almost as large as the College can sustain for academic and financial reasons in the foreseeable future, and because the number of faculty members retiring in the next decade is less than 10% of current faculty, the opportunity for recruiting women and minority colleagues is not so great as the College would like. The College, therefore, recognizes that it has a special responsibility to make every effort to recruit qualified women and minority group candidates when positions become available and under these circumstances of extraordinary complexity to act in a wholly equitable manner.

While a tenure system and its attendant Faculty Rules of Appointment do not apply to positions outside the regularly established academic ranks, it is nevertheless the intent of the College that for all other employees the practices and procedures adhere to the same standards and be carried out in this same spirit, to the end that no person be denied employment or related benefits at Middlebury College on the grounds of his or her race, color, sex, religion, or national origin. The College does not at this time believe it is feasible to establish specific goals[1] for recruiting women and minority groups since "under-utilization," as defined by the Department of Labor, has not been established.

"As noted in the Equal Employment Opportunity Commission guidelines, 'disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and should be treated as such under any health or temporary disability insurance or sick leave plan available in connection with employment.'[2] This principle insures that pregnant employees will be in no worse and no better position in regard to job-related practices and benefits than an employee similarly situated suffering from other disability. The determination of the length of time an employee will require for leave because of pregnancy and childbirth is a medical decision between that woman and her physician, to be treated in the same way as other sick leave."[3]

Middlebury College does not have an anti-nepotism policy and will, when circumstances and qualifications permit, continue simultaneously to employ two or more members of the same family.

Information for a basic data file for each employee of the College is available and can be compiled whenever requested by the Office for Civil Rights.

[1]"Projected levels of achievement resulting from an analysis by the contractor of its deficiencies and of what it can reasonably do to remedy them, given the availability of qualified minorities and women and the expected turnover in its work force.

[2]"Guidelines on Discrimination Because of Sex" Section 1604, 10 (b), Federal Register, April 5, 1972, Vol. 37, No. 66, p.6837.

[3]"Liberal Education," March 1973, p. 52.